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Utah Governors' messages to the Legislative Assembly

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Annual message of the Governor to the Legislative Assembly of Utah Territory, 1st (1851)

Governor's message to the Legislative Assembly ... 1852, 1854-<1855>, <1857>, <1861>, <1863>, <1866>, <1869>-<1870>, <1872>, <1874>

Governor's message, 1853

Communication to the Legislative Assembly of Utah annexed to the Governor's message, <1860>

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GOVERNOR'S MESSAGE

TO THE

FIRST LEGISLATIVE ASSEMBLY

OF THE

STATE OF UTAH.

The Legislature of the State of Utah.

The Constitution of Utah, defining the duties of the Governor, provides that he shall communicate by message the condition of the State to the Legislature at every regular session, and recommend such measures as he may deem expedient.

Congress has conferred upon Utah Constitutional government, and it is the proud privilege of her citizens, for the first time, to assume entire control of their own affairs. To you has been delegated the law-making power, and it is expected that you will proceed promptly and wisely to enact such legislation as will successfully complete the organization of the new State government, and provide the necessary machinery to put the same in motion. Having the fullest confidence in your ability to rise to the occasion, and assured of your patriotic desire to serve your country well and faithfully, I promise you my active and cordial co-operation.

FINANCES OF THE STATE.

I beg leave to call your attention to our financial condition. Owing to the fact that the reports of the outgoing Territorial officers have not yet been submitted, and owing further to the limited time intervening between the installation of the present State officers and the meeting of the Legislature, it is impossible to prepare such a statement of the financial condition of the State as I should desire, but the reports of the Terri-

torial officers will be available early in the session, and I shall then communicate with you further upon this subject

The bonded indebtedness of the State is \$700,000 00. The bonds were issued in three series, to-wit

Series 1 —By authority of the Act of the Legislative Assembly of 1888, 150 twenty-year, five per cent, non-taxable bonds, of \$1,000 each, issued July 2nd, 1888, payable July 2nd, 1908, but with right of redemption after ten years, viz after July 2nd, 1898 \$150,000.00.

Series 2 —By authority of the Act of the Legislative Assembly of 1890, 300 twenty year, five per cent., non-taxable bonds of \$1,000 each, issued July 1st, 1890, payable July 1st, 1910, but with right of redemption after ten years, viz after July 1st, 1900 \$300,000 00.

Series 3 —By authority of the Act of the Legislative Assembly of 1892, 250 twenty year, five per cent., non-taxable bonds of \$1,000 each, issued July 2nd, 1892, payable July 1st, 1912, without provision for previous redemption. \$250,000.00.

The interest upon said bonds is, by the terms of the laws authorizing their issue, made payable semi-annually, on the first days of January and July, respectively, and amounts to \$35,000.00 per annum.

I am unable, at this time, to compute the floating indebtedness of the State, though it may be relied upon, that including unredeemed warrants and deficiencies of State Institutions, the State will owe, after all taxes due from the several counties are paid in, at least \$100,000.00. The extra burdens to be borne by the State will be for the salaries of State Officers, support of the State Prison, the Courts, the Legislature, etc., previously supported, wholly, or in part, by the United States; and until the taxes of 1896 become available, there will be no means to conduct the State Government. It is apparent (ahead of the careful investigation which it is incumbent upon

me to make, the result of which I shall communicate to you later, as stated,) that provision must be made to pay off this floating debt and meet the running expenses for the next nine months. It may be set down as an indispensable necessity, therefore, and as the most prudent and economical method of placing the State Treasury upon a cash basis, which is a coveted consummation to any government or any business concern, that an issue of bonds be made, though the amount of the issue should, of course, be kept down to the lowest possible limit, and the rate not more than four per cent. It is my opinion that new State bonds will sell readily at par, both in our own market and in the eastern financial centers at four per cent, and the advisability of funding the outstanding five per cent bonds by a new four per cent issue, which would produce a saving of \$7,000.00 per annum, will also be presented for your consideration. As soon as the lands granted under the Enabling Act, or a portion of them, may be disposed of, it is provided that the interest on same may be devoted to the support of the various State institutions. Ultimately there is little doubt but that these proceeds will very materially relieve the State tax fund, but it may not be even hoped that any such relief can be obtained for a year or more, for the obvious reason, that legislation must first be provided for the selection, appraisement and sale of the lands, and after that the various funds created will have to earn their interest.

The subject of the disposal of these lands being so closely interwoven with the financial future of the State, my suggestions concerning the same will be included in the later Special Message. In view of the extra burdens aforesaid, and our inability to realize additional revenues from interest on sale of lands during the present year, it will, no doubt, devolve upon you to increase the tax rate, though to what extent cannot be estimated at

present. The revenues will be materially increased from the assessment of patented mines and coal lands and net proceeds of mines, and it is possible the assessed valuation for 1896 may be increased over that of last year by the exercise of greater diligence on the part of assessors and the Board of Equalization. The amount of property that has escaped taxation, notwithstanding the efforts of the Board of Equalization, in the last four years, I am convinced, is very large. Examples are frequent, in every county, where patented lands have not been assessed, simply because the patents are not recorded, notwithstanding that present laws require County Courts to obtain, from the U. S. Surveyor General, plats showing the patented lands. Merchandise is not assessed in Utah for one-third of its value. Cattle and sheep are not assessed for more than one-third their number. It will be incumbent upon us to unite in correcting evils of this nature. These suggestions are neither conclusive nor adequate upon the subject of our finances, but are simply made to admonish you that greater revenues must be provided and the utmost economy practiced by you in order to make the financial ends meet.

U. S. SENATORS.

Prominent among your duties will be the selection of two of your fellow citizens to represent the State of Utah in the Senate of the United States, the highest legislative council of the nation. May your discharge of this responsibility be characterized by such wisdom and patriotism, as shall reflect honor upon yourselves and the State.

GREAT SEAL OF THE STATE.

The Constitution provides that the Territorial Seal shall be used until otherwise provided by law. A State Seal should be adopted at once.

OFFICERS FOR STATE OFFICIALS.

The Supreme Court and Attorney-General are temporarily located in the Joint City and County Building, Salt Lake City. The Governor and Secretary have succeeded, without any express authority, to the offices formerly occupied by the Territorial Governor and Secretary at the so called "Industrial Home," which is U. S. Government property, and the Auditor, Treasurer and Superintendent of Public Instruction have no prescribed offices in which to transact their business with the public. I recommend that you arrange suitable quarters on the most economical terms possible, for the State officials, and provide the same with respectable furnishings.

LEGISLATION REQUIRED BY THE CONSTITUTION.

I commend to your earnest consideration the legislation required by the Constitution, in order to make all its provisions operative.

THE PENITENTIARY.

The Utah Penitentiary, formerly belonging to the United States and under the control of the United States Marshal, has now become the property of the State. By the terms of the Enabling Act, the Penitentiary and all lands and appurtenances connected therewith, and set apart and reserved therefor, are granted to the State. The property consists of two hundred acres of land, seventy-eight acres of which are under cultivation. The prison is a modern structure, having been built by the United States, several years ago, at a cost of about \$300,000.00, and is in all respects an up-to-date prison. It has two hundred and forty cells, and capacity for five hundred prisoners, though the present

number incarcerated is only one hundred and eighty-nine. A rock wall, nineteen feet in height, four and a half feet thick at the bottom and two feet thick at the top, surrounds the buildings.

The farm can easily be made to yield sufficient potatoes, corn, beets, cabbages, onions, tomatoes and garden produce to supply the prisoners.

Upon admission of the State, the title to the property passed from the United States to the State of Utah, and the control thereof, under the Constitution, is vested in the Board of State Prison Commissioners. which board is to have such supervision of all matters connected with the State Prison, as may be provided by law. Temporarily, and until otherwise ordered, the Board of State Prison Commissioners has continued Nat. M. Brigham, the United States Marshal, in charge.

It is extremely important that regulations be provided for the proper management of this institution, including authority for the Board to appoint a *warden*, and to employ such *guards* and *assistants* as it may deem proper.

The cost of operating the Penitentiary by the Government has been \$40,189.00 per annum. By rigorous economy, it is my opinion that this expense may be reduced to \$30,000.00, and I recommend the appropriation of that amount.

In the interim, before you reach the consideration of appropriations for State Institutions, an appropriation for maintenance, of say, \$5,000.00, should be made at once, as it will be found unprofitable to attempt the conduct of the prison on credit.

UNIVERSITY OF UTAH.

The University of Utah is the oldest educational institution in the State. It is located at Salt Lake City,

and was established by Act of the Legislature in February, 1850. The total value of buildings and grounds is estimated at \$250,000.00. Originally, the ten-acre block or square, upon which the University is situated, was donated by Salt Lake City, under certain conditions, which required that, in case the ground should cease to be used for the main buildings of the University, title to the land would revert to the city. In March, 1895, however, the City Council of said city removed the conditions of the original deed of transfer, and the only requisite remaining is that the State University be located within or contiguous to Salt Lake City. In 1894 the United States Government granted to the University a sixty-acre tract of land on the Fort Douglas Reservation in Salt Lake County. A condition of the gift requires that the Institution shall occupy the site within five years from the date of the grant. Nearly two years of this time have already passed, and thus far nothing has been done toward meeting the requirement of occupancy. The tract forms one of the most beautiful and suitable locations for the University campus to be found in the State, and certainly within the time provided, measures should be taken for the permanent location of the University there. Under the depressed condition of our finances I cannot recommend any appropriation at this session for the purpose of improving the new site, unless it might be a small one for the planting of trees, but in my opinion, an effort should be made as soon as there is an appreciable rise in real estate values, to dispose of the block whereon the buildings are now located, and with the proceeds of such sale, erect the necessary buildings upon the Fort Douglas site.

The report of the Chancellor and Board of Regents is very complete, and shows the past two years to have been very successful, the total number of

students registered for the years 1895-96, having been 503, coming from all parts of the State.

The financial affairs of the University are far from satisfactory, and much that has been gained will be lost, and the progress of the University seriously impeded, unless some better plan for maintenance can be devised. The appropriation of \$45,000.00 for the past two years seems to have been inadequate, and the financial difficulties have been aggravated by the non-payment of warrants drawn for appropriations. A warrant drawn for the last quarter of 1893, \$10,250.00, has not yet been paid, so that the real value of the warrant, considering interest necessarily paid upon it, is not more than \$8,712.50. The institution has been made to suffer the same proportionate discount upon all the warrants received during the past two years, as none of them have been paid, but are used as collateral security upon which to borrow money. To reduce interest, the land fund belonging to the University has been deposited against the overdraft at the bank, on maintenance account. Referring to the enforced use of this fund, the Chancellor and Board of Regents have this to say:

"This has deprived the University of interest on the land fund, but this use of that fund has stopped interest at a higher rate than could be obtained on a long safe investment of the fund, and as we are authorized to use the interest on the land fund for maintenance, this was the best use to which the fund could be put. We have also borrowed from the land fund, the sum of \$16,000.00, and this practically represents our deficit."

I am in hearty accord with the aims and purposes of the University of Utah, and believe that it is wisely and economically managed. I recommend that the suggestions of the Chancellor and Board of Regents be

given careful consideration, especially with reference to a permanent special tax for maintenance, and that the appropriations asked for be made, viz.:

To pay deficiency.....	\$13,250.00
Maintenance to end of school year, June 30, 1896.....	17,500.00
Maintenance for school year, 1896-7.	35,000.00
	\$65,750.00

THE AGRICULTURAL COLLEGE.

The Agricultural College, located at Logan, Cache county, established by Act of the Legislative Assembly in 1888, is a department of the public school system, made so by constitutional enactment. Its cost, including buildings and ground, has been \$211,947.00. It is supported from two sources: The State fund and the Government fund. The State fund supplies the plant, the land, buildings and ordinary appliances, and must be used also for the current ordinary expenses of the institution, the salaries of instructors in any branches not designated in the Congressional law, and for the salaries of the treasurer, secretary, bookkeeper, janitors, fireman, etc. The expenditure of the past two years, justly chargeable to the State, was \$21,861.90. The trustees state that they know of no method by which the institution can be conducted upon an expenditure of less than \$10,000.00 annually. The amount donated by the United States Government is \$25,000.00 per year, and according to National law, is for the sole purpose of providing instruction in the branches named in the law, and can be used only for the payment of teachers and the purchase of a specified kind and amount of apparatus. The estimate made by the trustees of the expenses to be borne by the State fund for the coming year is as follows:

Current ordinary expense.....	\$10,000.00
Deficit.....	8,930.00
Extension of shops	2,000.00
Electric lighting plant and incidentals	1,070.00
	\$22,000.00

The enrollment of students the first term of the present year was 400, an increase since the college year of 1893-4 of 134.

The courses taught are, agriculture, mechanical engineering, civil engineering, commercial science, and domestic arts.

The Agricultural College is an institution of which the citizens may well be proud. The student is taught the branches of learning that will enable him to perform the practical duties of life and every year it is turning out young men and women "with educated brains and skilled hands, ready and willing to work in whatever vocation they are best fitted to perform the duties of life."

I have pleasure in commending the College and its needs to your considerate care.

THE REFORM SCHOOL.

The State Reform School is located at Ogden, Weber County, and consists of fifty-seven acres of ground, upon which have been erected two large buildings at a cost of over \$100,000.00.

The appropriation for maintenance, made two years ago, was \$15,042.92. I have not the financial report for 1895 at hand, but I am informed there will be a deficiency of at least \$6,000.00

After an inspection of the school and upon such consideration as I have been able to give the subject, it is my opinion that the benefits to the children do not justify the expenditure made. From members of the

retiring Board, I learn that with the most careful economy they have found it difficult to conduct the institution for less than \$1,000.00 per month for the past year, which amount includes insurance, water taxes, etc. It may be urged that expense ought not to be considered where the reformation of a child is concerned, that otherwise would continue a charge upon the State and a menace to the morals of the community; but when the fact is considered, that not more than one in four of the children are actually reformed, the advantages of the school may very pertinently be questioned. The present buildings are much too large for the needs of the school. While not wishing to reflect upon former Legislatures, it is understood there was absolutely no necessity for the building last erected at a cost of over \$35,000 00. If an appropriation of \$10,000.00, or less, had been made at that time to improve the heating apparatus of the first building erected, and for the purchase of a library and other educational features, I think it would have been productive of better results than those obtained from the erection of a useless building. The erection of the extra building imposed upon the Territory, the cost of the maintenance of an unnecessary building, while the first building was amply sufficient to accommodate at least four times the number of children ever confined in the school at one time.

I therefore suggest that either a radical change be made regarding the Reform School, or that the school be removed to some other location in Weber County, where it may be conducted at less expense and that the present buildings be put to other uses.

Under all the circumstances, I recommend an appropriation to meet the deficiency, and the appointment of a committee from the Legislature to ascertain if the State cannot make more advantageous use of these

buildings. In this connection I submit for your consideration the fact that the Military Academy building, north of Ogden City, which is said to have cost about \$37,000.00, and is situated upon ten acres of ground eligibly located, with a perpetual free water right, can be secured for the State at a very low price. If in your wisdom, you deem it proper to place the Deaf and Dumb and Blind Asylum in the building now occupied by the Reform School, and secure the Military Institute property for the Reform School, I shall be glad to act with you in accomplishing the purpose. The major portion of the land now devoted to an unprofitable attempt at farming, might then be sold; the heavy tax now paid for water for irrigation would be materially decreased, as well as would other incidental expenses. I believe the change would be of permanent advantage to the State, and will reduce the burdens of the Reform School to a minimum.

INSANE ASYLUM.

The State Insane Asylum, located at Provo, in Utah County, consists of a tract of land of about two-hundred acres, upon which has been erected a thoroughly modern and well equipped asylum, which has cost the Territory for grounds, buildings, furniture and machinery, to November 30, 1894, \$408,073.91.

The number of patients confined in the asylum at present, is two hundred and seventeen, of which one hundred and ten are male and one hundred and seven female. It is estimated that the capacity of the asylum as at present constructed is two hundred and fifty patients, and that portion of the asylum called the "Administration Building," wherein the medical superintendent, steward, guards and attendants have their quarters, is ample for a much greater patient capacity. The increase in the permanent population of the asylum

during the past year, was eight. Patients admitted, sixty-one; died, fifteen; discharged, thirty-eight. The average attendance (daily) of the patients was two hundred and fourteen. The average cost of care and treatment per capita per diem, was thirty-eight and one-half cents. It is stated by the Medical Superintendent, that this is the actual cash expense for the care and treatment account, and that it is considerably lower than for any previous year. The increased number of patients treated; the decreased cost of supplies, the increased yield from the farm, garden, orchard and dairy, and the practice of strict economy, have all been factors in bringing about this reduction.

The sanitary condition of the buildings and the general bodily health of the patients have been good. There has been no epidemic or contagious sickness of any kind during the year.

The estimate of the Territorial Board for the ensuing year, for which appropriation is asked, is as follows:

For care and treatment of 235 patients	
at \$3.50 per capita per week.....	\$42,770.00
For ice house.....	1,000.00
Additional furniture for convalescent	
wards.....	500.00
Keeping in repair asylum buildings,	
expenses of Board and other neces-	
sary expenses.....	8,000.00
	\$52,270.00

While it may be possible by the exercise of further economy to reduce these expenses below this estimate, I recommend the appropriation of \$50,000.00 for the maintenance of the asylum for the ensuing year.

Your attention is respectfully invited to the difficulties the Board has had to contend with, and the extra

expense involved in being unable to cash Auditor's warrants issued to them. It will be noted that the item of interest during the past two years, necessitated through inability to realize upon the warrants, has cost the Institution \$5,278.93. It will be my pleasure to treat upon this subject in the Special Message which it is my intention to present at a future date.

SCHOOL FOR THE DEAF AND DUMB AND SCHOOL FOR THE BLIND.

The Constitution locates the School for the Deaf and Dumb and the School for the Blind in the county of Weber, and orders the transfer of the property of the School for the Deaf, heretofore conducted as a department of the University of Utah, to the school to be located in said county.

The appropriation made for the School for the Deaf by the last Legislature for two years from January 1, 1894, is exhausted. The University Regents, under whose management the School has been conducted, contemplated closing the School on January 1st, but the Superintendent of the School, to obviate such a calamity, offered to bear the expenses of the School until the present Legislature could take action, and the offer was accepted. The School continues under that arrangement. It will be necessary to make immediate provision for the expenses of the school to the end of the school year.

It will be necessary to provide a permanent location for the School for the Deaf and Dumb and the School for the Blind in Weber county, and provide for moving the property of the school. Proper legislation should be passed, also, providing for the control and supervision of these schools under the direction of the State Board of Education. Unless the arrangement described in another part of this message can be econom-

ically effected, by which the School for the Deaf and Dumb and the School for the Blind may be located in the buildings now used for the Reform School, and the Reform School located at some other point, it is my judgment that these schools should wait until the State can better afford to build.

THE CAPITOL GROUNDS.

Until such time as the State may be able to erect its Capitol, the grounds which are already laid out and surrounded by a neat iron fence, should be improved, and the trees and shrubs cared for. I recommend a small appropriation for this purpose, covering the actual cost of caring for the grounds, and that the Capitol Commission be abolished, at least until actual building shall begin.

DESERET AGRICULTURAL AND MANUFACTURING SOCIETY.

The only business to which this society has devoted itself for many years, has been the holding of annual (or biennial) fairs, although its charter and the various amendments thereto, authorize the collection of statistics. By the provisions of an act of the Assembly of March 10th, 1892, a Bureau of Statistics was created, and the Statistician was authorized to collect, triennially, the same or similar statistical data to that which the society is authorized to collect. There would be a conflict of authority here, except that the Statistician is provided with an appropriation to defray the expense of his work, while the society is not. I recommend a revision of the society's charter, with the view of eliminating its obsolete and antiquated powers, and vesting it with new and appropriate ones, calculated to encourage home industry and develop the natural resources of the State. While the holding of fairs leads

in the direction indicated, it does not go far enough. The society should have power and means to collate information relative to the most approved methods for cultivating the soil and increasing the yield of crops; for the proper breeding of live stock and the prevention of contagious diseases among them; for ridding our fruit of infection, etc., and to disseminate this information for the education and benefit of the people engaged in these pursuits. If you should decide it better to repeal the society's charter entirely, and establish instead a State Board of Agriculture, having the powers mentioned and others of a similar nature, such action would have my hearty approval.

I recommend, in any event, an appropriation of \$5,000.00 to assist in paying premiums for a fair in 1896, and \$3,000.00 for the expenses of the society or board.

INTER-MOUNTAIN FAIR.

On the 24th of July, 1897, a half-century will have elapsed since the Pioneers entered this valley. The event is of such importance, as to be worthy fitting commemoration. I recommend that the Board of Directors of the Deseret Agricultural and Manufacturing Society, or such other authority as you may constitute, be directed to consider the advisability of holding an inter-mountain fair in 1897. In case the project should be determined upon, I recommend that no State fair be held in 1896, but that all our energies and funds be reserved for the inter-mountain fair, which, if properly managed, would prove of great advantage to the new State.

EDUCATION.

An efficient system of public school education is one of the safeguards to a prosperous commonwealth.

No people can for a long time maintain their liberties or a free government when ignorance and incapacity prevail among them. It cannot, therefore, be said too often, nor advocated too frequently before those who hold the right of suffrage and who have the present and future welfare of the State at heart, that our public schools, when conducted with efficiency, are indeed the bulwarks of our free institutions.

The Constitution of our State is ample in its fundamental provision for liberal legislation on the subject of popular education. With reasonable care, therefore, in directing through appropriate enactments, the favorable public sentiment that exists among the people for liberal education, we should build up a public school system not to be excelled anywhere. The Constitution provides for a complete system of public instruction, from the Kindergarten to the University. It is hoped that you may find it possible, without burdensome taxation, to provide for the maintenance of a course of study, extending through the entire system, free of charge, for tuition, to every child of the State.

Besides adjusting the present school law to the new condition of Statehood, you will need to provide, in some safe and definite way, to secure the benefits of the constitutional provision for the establishment and growth of a perpetual and inviolable school fund. To secure confidence in our system of public schools there must be behind it the means of permanent and uniform support and efficient administration. The State School Fund should ever be an object of zealous care and guarded with deepest concern.

The school lands accruing to the State from the General Government for the benefit of schools, as designated in kinds and grades, should be so controlled by wise legislation as to secure, without delay or loss, the purposes designated in the grant.

ELECTION LAW.

For nearly fourteen years the election machinery of Utah has been operated by a Commission appointed by the President of the United States. During that period great progress has been made in many of the States in perfecting their election laws. Utah is therefore lamentably behind the times in this important particular. The perpetuity of a republican form of government is dependent upon the purity of the source from which it springs. That source is the will of the governed. The ballot-box is the means by which that will is expressed. Therefore the protection of the purity of the elective franchise is of primary importance. The universally favorable reports upon the advantages derived from the Australian ballot system strongly commend it as worthy your careful consideration. The modifications and improvements to the system adopted within the past two years by several of the States should be carefully investigated, to the end that we may profit by the experience of others and avoid their mistakes.

IRRIGATION.

Utah is reputed to be, and probably is, the pioneer user of water for irrigation in the United States. We are, therefore, looked to, not only for the most perfect system of irrigation, but for the most approved laws on the subject. The question should receive the careful consideration of those of your members best qualified to act on this important subject. The utmost care should be exercised that the rights of the original appropriators of water should not be interfered with. The law should include provisions on the following subjects at least:

For a uniform system of measuring water; for the filing and recording of rights already acquired through

appropriation and use of water; for the manner of acquiring the right to use unappropriated water; for the economic use and systematic apportionment of the water among the rightful users thereof; for the right of way over State lands, and the condemnation of private lands for canals and other distribution works, and for reservoir sites; for establishing the rights of canal or other companies who furnish consumers with water, and defining the relations of the former to the latter.

I also believe great advantage would result from the creation of the office of State Engineer, charged with the duty of attending to the irrigation interests of the State.

FOREST PROTECTION.

The disastrous results that have followed the denuding of our mountain districts, in many parts of the State, of their timber through wanton spoliation and forest fires, calls for some effective legislation to arrest such destruction.

The conservative influence of forests on the water supply for irrigation, makes their preservation a matter of imperative necessity.

I trust you will give this subject the attention its importance demands.

RECLAMATION OF ARID LANDS.

Sec. 4 of the Federal Sundry Civil Act of 1894 prescribes the manner in which 1,000,000 acres of desert land may pass under the ownership and control of those States desiring to avail themselves of the gift. The purpose of the law is to empower the public land States to promote the reclamation, cultivation and settlement of the arid areas within their boundaries and thus augment with all possible dispatch the permanently pro-

ductive estate of the commonwealth. In striking the ultimate balance account the State will have been at no expense, since the proceeds from the sales of the reclaimed lands are to be applied to the reimbursement of the State for the moneys invested, the residue of the revenues derived from the million acres to create a fund for the reclamation of additional desert lands. The establishment of the irrigation plant, which must precede settlement and sales, devolves upon the state, according to the terms of the Act.

Legislation is needed for the acceptance of the terms of the grant, and for the irrigation, occupation and disposal of the lands thus acquired.

LABOR.

Legislation is needed to give the Article on Labor, in the Constitution, proper force and effect. A Board of Arbitration and Conciliation is provided to represent the interests of both Capital and Labor, whose duties and compensation are to be provided by law. The conservative character of our people, the fact that no serious disturbances have ever occurred between Capital and Labor in our past history, and the unpropitious state of our finances, suggest that, for the present, this compensation should be small. The prohibitive clauses of the article should be made effective, especially those prohibiting the contracting of convict labor, and the exchange of black lists by railroad companies or other corporations or persons.

STATISTICS.

The first triennial report of the Bureau of Statistics, authorized by Act of the Territorial Assembly of March 10th, 1892, made its appearance during the year. The work appears to have been well done; the information

is concise, comprehensive and interesting. In view of the great need which existed for Statistics in Utah, the publication of this report is noteworthy, and the copies should be given wide circulation.

RESTORATION OF SILVER.

So manifold are the resources of our State, that though its great industry—silver mining—has been almost prostrated, our people are still reasonably prosperous. But it would be wrong to attempt to conceal or discount the great injury brought about by taking from silver its American market, and the reduction in its price, or the further loss suffered by our producers, by the corresponding reduction, because of the demonetization of silver, in the prices of all other products of our State. It is my hope, that the cause of this great fall in prices generally, will, at no very remote time, be understood by the great army of producers in the Eastern States, and that they may realize the impossibility of there being any marked advance until silver shall be restored.

If in your wisdom you deem it appropriate to memorialize Congress on this subject, it will be a pleasure to me to co-operate with you.

HOME INDUSTRIES.

The necessity of doing all in our power to encourage the growth and development of our home industries is apparent to all. We may differ as to what may be the best methods to pursue to accomplish so laudable a purpose, but all will agree that something should be done. Without desiring to bring into consideration of this all important subject, partisan feeling, I deem it to be my duty to suggest that the policy outlined by the pioneers of the State, of paying reasonable bounties to

infant industries, has been so frequently and decisively endorsed by the people as to place the policy of paying bounties beyond the domain of argument, so far as the wishes of the majority are concerned. The people of Utah believe the wealth of their mountains should be utilized; that work should be found for their young men, and a home market provided for their farmers. The policy which fastens upon a people a system which makes them send their money away for articles which they need, and which could and ought to be produced at home, and which also makes them send their surplus products to a distant market, a heavy cost for freight charges, cannot be the basis for the people or the State. We must find employment for our people, and must keep our money at home. The Statutes of Utah are full of laws providing for bounties and remissions of taxes to new industries suitable to the wants and needs of the people. I favor such action consistent with these views and the finances of the State as will help to promote an industrial development, and commend this important subject to your earnest consideration.

RAILROAD LEGISLATION.

Owing to the prevalence of the idea that the adoption of any measures in any way attacking transportation revenues might cause losses on operation and investment, we have no legislation in regard to railroad and general transportation charges. So long as the question is approached in a spirit of moderation, however, and with the purpose to do exact justice between the corporate powers and their patrons, the accusation of hostility or prejudice to organized capital represented in transportation companies, falls to the ground. Nothing should be done to mitigate against the construction of new railroads or to impair the usefulness of those we

have; at the same time, it is a well known fact, that discriminations have been made in transportation charges that are unjust to the public, and that have, in numerous instances, crippled and killed struggling industry in Utah. If legislation can correct this evil, it should be provided.

I therefore, recommend the enactment of a law on this subject, that will secure equitable rights to all concerned, always having in view the upbuilding of our internal industries. Under proper regulations, coal would be delivered at our manufacturing centers within the State, at such prices as would place Utah in the front rank in manufacturing, and secure to our smelting and refining works the reduction of such ores as legitimately demand treatment here. No discrimination in charges or facilities for transportation should be made by any railroad between persons or places, and unjust and unreasonable rates for passengers and freight should be prohibited. The recognized method to accomplish proper results is through the creation of a commission clothed with power to carry out the designs of the lawmakers, and I recommend that one be created. Economy and efficiency both being imperative, the commission should consist of not more than three persons, two of whom might be officers already in the pay of the State, and the other to be paid a reasonable salary. I am convinced, that advantages to the citizens and the State would accrue from proper legislation on this subject, which would many times pay the attendant expense.

BOARD OF EQUALIZATION.

I direct your attention to the recommendations made by the Board of Equalization for 1894 and 1895, which I think should be adopted, as follows :

That the preparing of plats for the use of the County

Assessors and their revision each year by the several counties be made compulsory ;

That there be appropriated for original and duplicate assessment rolls and taxpayers' statements, for the year 1896, \$1,000, or so much thereof as may be necessary.

That \$2,000 be appropriated for the expenses of the Board of Equalization for the year 1896, or so much thereof as may be necessary.

That the law be amended so as to require County Assessors to have their rolls completed by May 15th in each year.

That the County Boards of Equalization be required to complete their work and finally adjourn on or before July 1st in each year, and that it may be the duty of the County Clerks, immediately thereafter (and not later than July 15th) to report to the Board the total valuation of each class of property as is enumerated on the assessment rolls, and the aggregate assessment of the taxable property as corrected and approved by the County Board of Equalization ;

That the County Boards of Equalization be given authority to raise or lower the valuation of any class or kind of property in their respective counties.

By the provisions of Section 11 of Article 13 of the Constitution, the Governor, Secretary of State, State Auditor, State Treasurer and Attorney-General are constituted a Board of Equalization to serve until otherwise provided by law. Under existing laws the Board is charged with performance of very important duties. The assessment of the property of railroad, telephone and telegraph companies must be made by the Board. It must also equalize assessments between the several counties, and see to it that the revenue of the State is protected by fair and equal assessments of all property subject to taxation in the counties. These are, under Statehood, far-reaching and very important duties.

Heretofore, though not especially required by law, the Board has practically been non-partisan. In order to obtain the highest possible advantages to the State finances, in my judgment this Board should be appointive and non-partisan, and I recommend the passage of a law making such provision.

PRESIDENTIAL ELECTORS.

Before another Legislature shall have assembled, an election for President and Vice-President of the United States will occur. Provision should, therefore, be made as prescribed by United States Statute for canvassing the vote, declaring the result, etc.

FEES.

The Constitution provides that officers within the State shall receive fixed and definite salaries, and that the fees which may be provided for by-law, except for notaries public, boards of arbitration, court commissioners, justices of the peace and constables, shall be covered into the proper treasury. The importance of this subject cannot be over-estimated. I commend to your attention the necessity of legislation providing for moderate fees that will not oppress the people, and requiring officers to keep a true and correct account of all fees collected by them, and pay them into the proper treasury at proper intervals.

FISH AND GAME.

It is of the utmost importance that our fish and game should be hedged about with all the protection that just laws can afford. Already our laws on the subject are fairly good, if properly enforced; gross violations of them are, however, matters of public notoriety. The

citizens should unite to condemn such violations and furnish information to the proper officers, whenever infractions of the law come under their notice. I recommend that the present law be amended, to prevent the exportation of fish and game outside the State.

BANKING LAW.

All banks chartered under the State ought to be under such wise restrictions and supervision as will make absolutely safe all funds entrusted to their care.

THE NATIONAL GUARD.

The report of the Adjutant General shows that the National Guard of Utah consists of sixteen companies of Infantry, three troops of Cavalry, two Batteries of Light Artillery and a Signal Corps. The strength of the entire force, as compiled from latest reports, is 1012, namely: General field and staff, twenty-seven; Infantry, seven hundred and twenty; Cavalry, one hundred and thirty-eight; Artillery, one hundred and four; Signal Corps, twenty-three. The Guard has been well equipped by Government under U. S. statutes, with guns, ammunition, ordnance, uniforms and other essentials, excepting overcoats and blankets; these it is believed, Government may be induced to supply at an early date.

The War Department has detailed First Lieutenant Wm. A. Lassiter, of the 16th Infantry, for duty in connection with the Utah Militia. Lieut. Lassiter reported for duty to Governor West on April 8th, 1894, and has been active and efficient in his instructions to the State forces. The appointment is made in conformity to the United States Statutes. The General Government takes sufficient interest in the National Guard to supply the State with a regular army officer without any expense for salary or equipment. His

duty requires that under authority from the Governor, he shall visit each organization of the militia at its home station, once a year, and to generally gather information and transmit to the War Department such of it as would likely be of service to that branch of the Government; also to render any assistance, in his line of duty, that may be required by the Governor or the Adjutant General. Following the precedent of other states, a small appropriation covering the actual traveling expenses of this officer, while on military duty for the Guard, ought to be made.

The National Guard of Utah is composed of young, energetic men, imbued with a martial and patriotic spirit, who have contributed much time and labor to the perfection of the organization against many disheartening obstacles. While a due regard for the financial interests of the State will not allow excessive appropriations for any purpose, not imperatively demanded, I trust that the Legislature will treat this important adjunct to the Executive Power of the State with liberality and consideration. To this end I recommend favorable action upon the suggestions of the Adjutant General, as to the necessary appropriations for the ensuing year.

FIRE AND POLICE COMMISSION.

Two years ago the fire and police departments of all cities of 12,000 inhabitants were placed under the management and control of a non-partisan board of four citizens in each city appointed half by the Mayor and half by the City Council. The object of the change from ordinary conditions controlling departments of this character was evidently to increase the efficiency of the departments, as it is an accepted fact that the highest results cannot be attained where the positions of officers and men are dependent upon the caprice of

politics and where a change of administration, a whirl of the political wheel, may mean the removal of police and firemen, of acknowledged worth and practical experience. While its operation has not proven entirely satisfactory in the cities of Salt Lake and Ogden, I am convinced that the law is a step forward in municipal government, and that with certain amendments, which the respective boards ought to be able to suggest, should be retained.

REVISION OF THE LAWS.

A pressing need is a revision of the statutes. A compilation only repeats the obsolete and incongruous provisions existing, and leaves it to the people as well as the lawyers to trace a law through a number of amendments, not easily construed, and adds much to the length of the laws. It would, perhaps, take a year to get a revision completed and reported, and the commencement of Statehood is a favorable time to commence the work.

I recommend the appointment of a competent committee to perform this work and report to the next Legislature.

CONSTITUTIONAL CONVENTION DEFICIENCY.

The Constitutional Convention consumed the entire appropriation of \$30,000.00 made by Congress to defray its expenses, and about \$10,000.00 besides, if allowance is made to the members for the excess per diem.

I recommend that the expenditures made for printing or for other actual outlay, be appropriated, and will be pleased to join you in a memorial to Congress, asking that the State be reimbursed therefor. If you

see fit to include in the memorial a request for compensation to members it will meet my approval.

REPORTS OF TERRITORIAL OFFICERS.

Such reports of Territorial Officers as have been presented to me I herewith transmit to you.

CONCLUSION.

The recommendations above set forth are based upon only a casual investigation of the affairs of State, and are communicated to you not as the summum bonum of human wisdom, but as the best judgment of an Executive, who is anxious to co-operate with you in every effort to guard well the rights of the people and promote their happiness and welfare.

Standing at the threshold of State government, proud of past achievement, and confident in our hope of the future, with greeting to our Sister States and gratitude to our Parent Government, pledging unfaltering loyalty to the Union, and trusting in the God of Nations, we clothe ourselves in the full habiliments of *Statehood*.